

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

MICHAL OLENIACZ,

Plaintiff,

9:20-cv-01608 (AMN/DJS)

v.

ERIC M. WEST, RICCI NATALI,
ADAM J. CARR, NATHAN D. SLATE,
RAY L. ROBERTS, BEN P. KIECHLE,
and COREY J. HENDRICK,

Defendants.

JURY VERDICT FORM

PLEASE NOTE

- Each Juror will be provided with a Verdict Form. However, your verdict should be reported to the Judge on **ONLY ONE** Verdict Form, signed by the jury foreperson. The remaining Verdict Forms should be returned to the courtroom deputy unsigned, following the completion of your deliberation.
- Please indicate your response to the following questions by placing an "X" on the appropriate lines.
- Please carefully follow the bold-type directions accompanying each question.
- Proceed to **Question 1** on the next page.

* * *

Question 1

Eighth Amendment – Excessive Force

Do you find that Plaintiff Michal Oleniacz has proven by a preponderance of the evidence each and every element of his Eighth Amendment excessive force claim under 42 U.S.C. § 1983 against:

Defendant Eric M. West?	Yes _____	No <u>X</u>
Defendant Ricci Natali?	Yes _____	No <u>X</u>
Defendant Adam J. Carr?	Yes _____	No <u>X</u>
Defendant Nathan D. Slate?	Yes _____	No <u>X</u>
Defendant Ray L. Roberts?	Yes _____	No <u>X</u>
Defendant Ben P. Kiechle?	Yes _____	No <u>X</u>
Defendant Corey J. Hendrick?	Yes _____	No <u>X</u>

If you answered Yes to one or more Defendants, proceed to **Question 2** on the next page.

If you answered No to all Defendants, your deliberations are complete. The Foreperson should sign and date the final page of this Verdict Form and inform the Court Security Officer that a unanimous verdict has been reached.

* * *

Question 2

**Eighth Amendment – Excessive Force
Compensatory or Nominal Damages**

What amount, if any, do you award as compensatory damages in connection with Plaintiff Michal Oleniacz's Eighth Amendment excessive force claim under 42 U.S.C. § 1983? If one or more of Defendants are found liable to Plaintiff in connection with his Eighth Amendment excessive force claim under 42 U.S.C. § 1983, the liable Defendants (if more than one) are jointly and severally liable for whatever compensatory damages you determine Plaintiff has suffered. Accordingly, you should calculate a single sum for Plaintiff's compensatory damages. (*Please Note:* If you find that Plaintiff's rights were violated but that Plaintiff has failed to prove by a preponderance of the evidence that he suffered any actual damages, then you must return an award of nominal damages in the sum of \$1.00.)

\$ _____

Proceed to Question 3 on the next page.

* * *

Question 3

**Eighth Amendment – Excessive Force
Punitive Damages**

Do you find that Plaintiff Michal Oleniacz is entitled to an award of punitive damages in connection with his Eighth Amendment excessive force claim under 42 U.S.C. § 1983 against:

Defendant Eric M. West?	Yes _____	No _____
Defendant Ricci Natali?	Yes _____	No _____
Defendant Adam J. Carr?	Yes _____	No _____
Defendant Nathan D. Slate?	Yes _____	No _____
Defendant Ray L. Roberts?	Yes _____	No _____
Defendant Ben P. Kiechle?	Yes _____	No _____
Defendant Corey J. Hendrick?	Yes _____	No _____

Proceed to the bottom of this page.

The Foreperson should sign and date this Verdict Form and inform the Court Security Officer that a unanimous verdict has been reached.

Foreperson's signature:

REDACTED

Date: August 14, 2024